

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JEREMIAH MOORE,
Plaintiff,

v.

**COMMONWEALTH OF
PENNSYLVANIA, et al.,**
Defendants.

:
:
:
:
:
:
:
:

CIVIL ACTION NO. 21-CV-5519

ORDER

AND NOW, this 14th day of April, 2022, upon consideration of Jeremiah Moore's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1) and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. Moore's Complaint is **DISMISSED** in its entirety for the reasons discussed in the Court's Memorandum as follows:
 - a. All claims against the Commonwealth of Pennsylvania, Magistrate District Courthouse 38-1-12, the Pottstown Police Department, Magisterial District Judge Gregory Scott and Magisterial District Judge Edward Kropp, Sr. are **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), (iii);
 - b. The § 1983 claims against Defendants Jamie O'Neill and Craig A. Johnson, arising from his arrest on September 13, 2019 and the dismissal of certain charges on October 2, 2019, are **DISMISSED WITH PREJUDICE** as time

barred; all other claims against Defendants Jamie O'Neill and Craig A.

Johnson are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C.

§ 1915(e)(2)(B)(ii) as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994).

Moore may file a new case raising the claims currently barred by *Heck* only in the event his underlying guilty plea and sentence are reversed, vacated, or otherwise invalidated.

4. The Clerk of Court is **DIRECTED** to terminate the following Defendants in as parties in this action: (1) the Commonwealth of Pennsylvania; (2) Magistrate District Courthouse 38-1-12; (3) the Pottstown Police Department; (4) Magisterial District Judge Gregory Scott; and (5) Magisterial District Judge Edward Kropp, Sr.

5. The Clerk of Court is **DIRECTED** to close this case.

BY THE COURT:

/s/ Juan R. Sánchez
JUAN R. SÁNCHEZ, C.J.